

1 Paul B. Heatherman - OSB #933000
2 LAW OFFICE OF PAUL HEATHERMAN PC
3 PO Box 8
4 Bend, OR 97709
5 Phone: 541-389-1010
6 Fax: 541-382-6875
7 Email: paul@bendattorneys.com

IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

10 In re:)
11 JAMES JOEL HOLMAN and)
12 CANDICE EVANGELINE HOLMAN,)
13 Debtors.)
14 DWIGHT and LAURA DANIELS,)
15 husband and wife)
16 Plaintiffs,)
17 vs.)
18 JAMES JOEL HOLMAN and)
19 CANDICE EVANGELINE HOLMAN,)
Defendants.)

Case No. 14-35381-rld7
Adv. Proc. No. 14-03285-rld

**CONCISE STATEMENT OF
RE: DEFENDANTS' MOTION
PARTIAL SUMMARY JUDGMENT**

21 COME NOW, defendants James Joel Holman and Candice Evangeline Holman (collectively,
22 “defendants”), and provide this Concise Statement of Facts in support of Defendants’ Motion for
23 Partial Summary Judgment.

STATEMENT OF FACTS

- 25 | 1. Candice never met plaintiff's prior to the issuance of the loan. (Decl. Candice Holman, P.1.
26 | 1.23)

28 1 - Concise Statement of Facts RE: Defendants' Motion for Partial Summary Judgment

Law Office of
Paul Heatherman PC
250 NW Franklin Ave. #402
Bend, OR 97701
Phone: 541-389-1010
Fax: 541-382-6875
Email: paul@bendattorneys.com

DATED this 4 day of June, 2015.

LAW OFFICE OF PAUL HEATHERMAN PC

/s/ Paul B. Heatherman
Paul B. Heatherman - OSB #933000
Attorney for Debtors/Defendants

CERTIFICATE OF SERVICE
Adversary Proceeding No. 14-03285-rld

I hereby certify that on June 4, 2015, I serve a true copy of the foregoing *Concise Statement of Facts RE: Defendants Motion for Partial Summary Judgment*, via first class mail, on the following:

Darian A. Stanford
Slinde Nelson Stanford
111 SW 5th Ave., Ste 1940
Portland, OR 97204
Attorney for Plaintiffs

Dated: June 4, 2015.

/s/ Paul B. Heatherman
Paul B. Heatherman - OSB #933000
Attorney for Defendants/Debtors

1. Plaintiffs object to the Requests for Admissions to the extent that they seek to impose requirements and procedures beyond those set forth in the Federal Rules of Civil Procedure and the Local Rules of the United States Bankruptcy Court for the District of Oregon.

2. Plaintiffs object to the Requests for Admissions to the extent that they call for the disclosure of the mental impressions of Plaintiff's legal counsel or of information protected by the attorney-client privilege, the work-product doctrine, or other applicable privileges and immunities.

3. Plaintiffs object to the Requests for Admissions to the extent they are overly broad, unduly burdensome; request information already known to defendant or that is obtainable from another source that is more convenient, less burdensome or less expensive; are vague or ambiguous; or seek information not reasonably calculated to lead to the discovery of admissible evidence.

4. Plaintiffs object to the Requests for Admissions to the extent they seek information not within its possession, custody or control, or to the extent that they seek information in the possession or control of any entity other than Plaintiffs.

5. Plaintiffs do not waive any of its general or particular objections in the event they furnish information or documents coming within the scope of any such objections.

6. Plaintiffs' responses to the Requests for Admissions reflect only the present state of Plaintiffs' knowledge. Plaintiffs reserve the right to submit additional, supplemental information responsive to the Requests for Admissions.

SPECIFIC OBJECTIONS AND RESPONSES

TO REQUESTS FOR ADMISSIONS

REQUEST NO. 1: That prior to the date the loan was transacted, plaintiffs and defendant Candice Holman had never met in person or by phone.

RESPONSE: Admit. Object to as "the date the loan was transacted" is vague